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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/553,006

12/01/2005

Hayahide Yamasaki

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1297

513 7590 01/22/2009

WENDEROTH, LIND & PONACK, L.L.P.

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SUITE 800

WASHINGTON, DC 20006-1021

EXAMINER

NGUYEN, THUY-AI N

ART UNIT

PAPER NUMBER

1796

MAIL DATE

DELIVERY MODE

01/22/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/553,006	<b>Applicant(s)</b> YAMASAKI, HAYAHIDE	
	<b>Examiner</b> THUY-AI N. NGUYEN	<b>Art Unit</b> 1796	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 10,11,13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10,11,13 and 14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Amendment*

Applicant's response filed on 10/28/2008 has been fully considered.

Claim 14 has been added. Claims 10, 11 and 13 to 14 are pending.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-11, and 13- 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Babinec et al. (US.6, 380, 294) in view of Shimizu et al. (US. 5,700399).

Regarding claim 10, Babinec et al. teach a polyaniline- containing composition comprising polyaniline, a dopant, and inorganic compound (abstract) and water (col. 11: 15- col. 13: 40), wherein dopant is a polymer having an acid group such as phosphoric acid group, sulfonic acid group or carboxyl group (col. 13: 10- 20).

Regarding claim 11 and 13- 14, Babinec et al. teach the polyaniline - containing composition comprising from 0.01 to 99 percent by weight of the

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composition of one or more conductivity (abstract); including polyaniline (col. 11: 15- 67), and inorganic compound (col. 13: 34- 67), wherein the dopants can be in solid state (col. 12: 10- 15).

Babinec et al. do not teach the specific amount of the dopant, or emulsion polymers in the composition. However, Babinec et al. teach that amount of dopants are sufficient that the dopped polyaniline will reach the maximum conductivity (col. 12: 16- 30). Babinec et al. further teach the amount of dopant will not exceed amount of polyaniline that is need to be doped (col. 12: 25- 30). Thus, it is obvious that the amount of dopants would be optimized to fall in the range as set by the applicant because the amount of polyaniline is within the range as recited in the claim.

Babinec et al. do not teach the composition comprising surfactant. Shimizu et al. teach the composition comprising conductive polyaniline and surface active agent including polyoxyethylene polystyryl phenyl ether which has the HLB within the range as set by the applicant (col. 19: 13- 23). Babinec et al. and Shimizu et al are analogous arts because they are in the same field of endeavor, namely, conductive composition comprising aniline. At the time of the invention, it would have been obvious to one of ordinary skill in the art to use polyoxyethylene polystyryl phenyl ether of Shimizu et al. in the teaching of Babinec et al.. The motivation would be to improve the conductivity property of the composition (Shimizu et al., col. 18: 40- 47).

*Response to Arguments*

Applicant's arguments with respect to claims 10- 12, and 13 have been considered but are moot in view of the new ground(s) of rejection.

*Correspondence*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THUY-AI N. NGUYEN whose telephone number is (571)270-3294. The examiner can normally be reached on Monday-Friday: 8:30 a.m. - 5:00 p.m. eastern time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Eashoo can be reached on 571-272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

THA

/David Wu/  
Supervisory Patent Examiner, Art Unit 1796